



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

October 27, 2004

SUBJECT: **2004-0775 – Friedrich Ventures, Inc.** [Applicant] **Varni Properties** [Owner]: Application on a 3.2-acre site located at **1165 North Fair Oaks Avenue** in a C-2/PD (Highway Business/Planned Development) Zoning District. (APN: 110-29-040):

Motion **Special Development Permit** to allow an indoor children's recreation facility.

REPORT IN BRIEF

Existing Site Conditions Industrial and office building with warehousing and office uses.

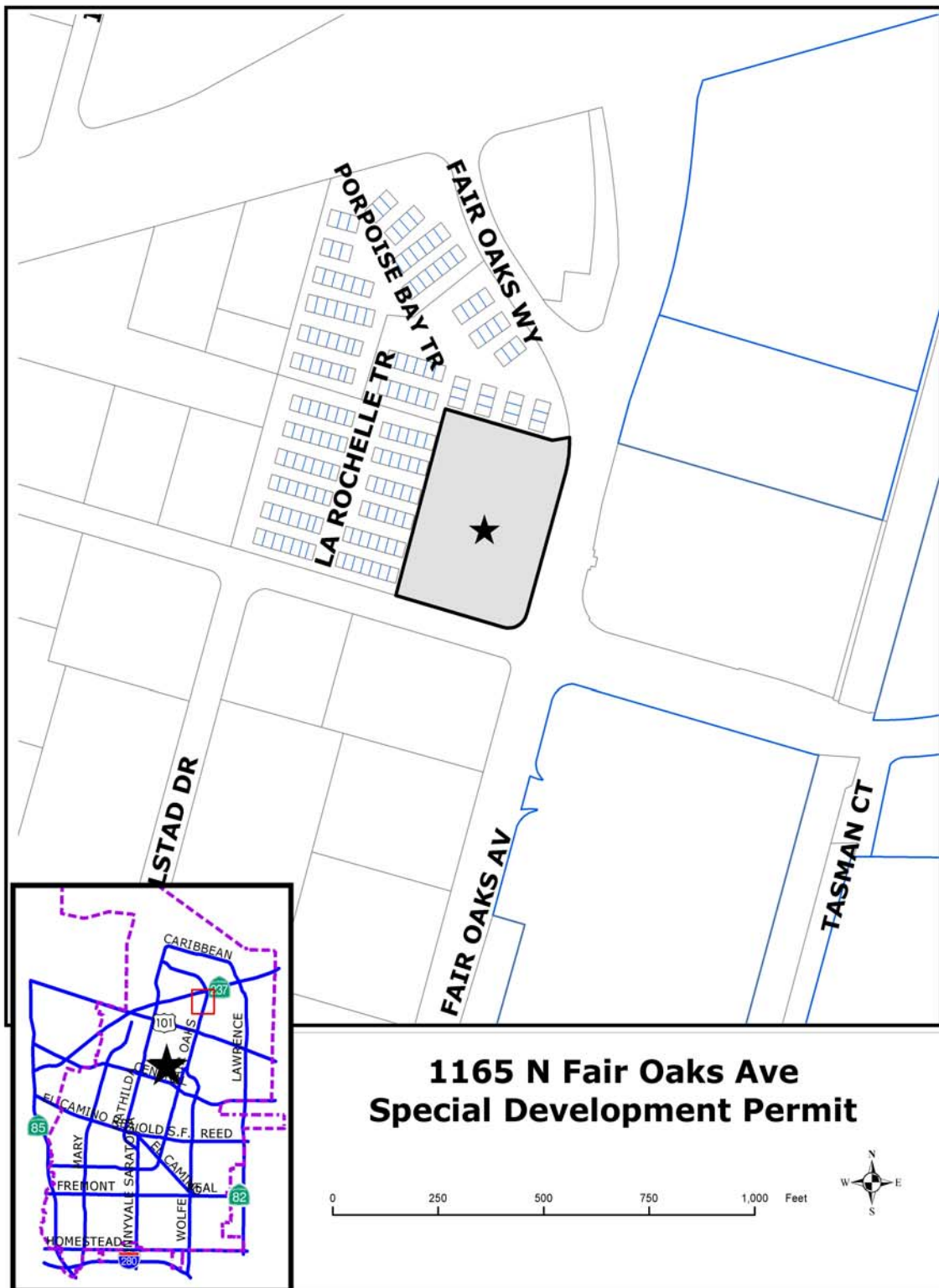
Surrounding Land Uses

North	Medium Density Residential Townhomes
South	Medium Density Residential Townhomes
East	High Density Residential Apartments and Industrial
West	Medium Density Residential Townhomes

Issues Compatibility of the proposed use with the surrounding uses.

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approval with conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	ITR-R3-R4	Same	Same
Zoning District	C-2-PD	Same	---
Lot Size (sf)	139,828	Same	8,000 min
Gross Floor Area (sf)	48,000	Same	N/A
Floor Area Tenant Space	18,000	Same	N/A
Lot Coverage (%)	34%	Same	40% max.
Floor Area Ratio (FAR)	34%	Same	N/A
Setbacks (facing property)			
• Front (N. Fair Oaks Av)	25' - 38'	Same	20' min
• Left Side (Tasman Dr)	21' - 25'	Same	9' min Total 20'
• Right Side	22'	Same	9' min Total 20'
• Rear	140'	Same	20' min
Landscaping			
★ • Landscaping (sf)	9,088 (6.5%)	Same	20% min
Parking			
• Total No. of Spaces	174	174	92 min
• No. of Standards	98	98	87 min
• No. of Compacts / % of total	70 (40%)	70 (40%)	87 (50%) max
• No. of Accessible	6	6	4 min

★ = Non-conforming to current SMC

ANALYSIS**Description of Proposed Project**

The proposed use is for a new business called Pump It Up, which is an indoor children's activity center. The business contains inflatable attractions, such as bounce houses, obstacle courses, etc., for use by private parties only. Parties are limited to 25 kids, with some parents attending as chaperons. 80% of business will occur on weekends between 9:30am and 10:00pm. Weekday hours are from 10:00am to 10:00pm, although the applicant expects 90% of weekday business to occur after 3:30pm.

No food will be prepared on site but catering will be allowed, depending on the needs of the customer. No walk-in business is allowed and all parties are limited to a maximum of 25 children.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include changes in use to existing facilities.

Special Development Permit

Site Layout: The existing 48,000 square foot building is comprised of four separate tenant spaces. The first space, which fronts along Tasman Drive, is 18,000 square feet. The space is currently vacant but was previously occupied by Viquity, which was a professional office use. The space was approved in May 2004 to be used by Bay Area Adult Day Health Care.

The second tenant space is also vacant and is 6,000 square feet. This space was previously used as professional office

The third tenant space is also currently vacant and is 12,000 square feet. This is the subject tenant space proposed for use by Pump It Up. The applicant states that the previous uses were general Research and Development office uses. No hazardous materials were used in this space.

The third tenant space, farthest to the north of the site, is 12,000 square feet and is occupied by AKZO Noble Coating, Inc. AKZO Noble is a retail and wholesale store that sells auto body supplies such as: automotive paints, equipment, software, and consulting services. The business primary function is warehousing and distribution to automotive repair shops, although it does provide retail sales directly to the public. None of the products sold are used on site.

The interior of the proposed tenant space will be divided into three general areas. The first is the lobby area which will have the business offices and restrooms. The second two spaces will be the main arenas, or rentable party areas. Each space is separate from the other and will have private party rooms and open areas for the inflatable bouncers. The space has already been upgraded by the previous tenant to meet ADA and current fire safety standards.

Hazardous Materials: The City's hazardous material specialists has stated that although there are some hazardous materials being stored in the adjacent

business (AKZO Noble Coating, Inc), they do not pose a health threat to any persons at the proposed Pump It Up.

Architecture: There are no proposed changes to the architecture of the building.

Landscaping: The 9,088 square feet of landscaping equals 6.5% of the total site, where 20% is required by City code. The site became non-conforming in 1997 when the Valley Transit Authority (VTA) expanded the Tasman line of the light rail. At that time, the City required dedication of street frontage along N. Fair Oaks to create sufficient room for the light rail. In 1998 an MPP was approved that allowed the site to become existing non-conforming to the current landscaping requirements.

The landscaping on-site consists of linear lawn areas along the two street frontages and several planting areas. There is also a landscaping planting strip between the parking lot and the adjacent residential use to the west. In this landscape planting strip there are some existing trees and a 20 foot high sound wall that screen between the two properties.

Parking/Circulation: There are currently 174 parking spaces on site, of which 6 are accessible spaces and 70 are compact. The following table reflects the required parking for the current and expected use of the building:

1165 N. Fair Oaks Site Parking Analysis			
Type of Use	Type of Use	Type of Use	Type of Use
Pump it Up	12,000 s.f.	1 space/ 400 all other areas	30 min.
General R&D/Office (vacant)	6,000 s.f.	1 space/ 500 square feet min.	12 min.
General R&D/Office (vacant)	18,000 s.f.	1 space/ 500 square feet min.	36 min.
AKZO Noble Coating	12,000 s.f.	1 space/ 900 square feet minimum	14 min.
Total	48,000 s.f.		92 min.

The total number of children at any one time will be a maximum of 50 kids (25 per space). During this peak business time, there will also be typically five adults per party, or ten on site, as well as seven staff members.

There are two separate parking lot area at this site. A smaller loading and unloading area is on N. Fair Oaks and the larger parking lot area is to the rear of the site off of Tasman Drive. A Condition of Approval has been added that states that majority of the loading and unloading shall occur in the parking lot nearest to N. Fair Oaks, although some loading and unloading may occur in the rear parking lot area as demand permits. This will help to minimize the impact to the adjacent residents.

Compliance with Development Standards

The proposed project complies with current development standards with the exception of required landscaping, as discussed. No further improvements are required at this time.

Expected Impact on the Surroundings

The project site is surrounded by medium and high density residential uses. Staff evaluated the potential traffic impacts from the proposed use and believes that there will not be a significant effect on the surrounding neighborhood since the business model for Pump It Up does not allow parties over 25 children in each space.

Staff also reviewed the potential noise impact to the surrounding neighbors and determined it will be only a minimal impact due to automobiles entering and leaving the site during evening hours. All equipment and activities associated with this business will be contained inside the building.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Special Development Permit.

- Findings and General Plan Goals are located in Attachment A.
- Conditions of Approval are located in Attachment B.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• <u>353</u> notices mailed to the adjacent property owners and residents of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Approve the Special Development Permit with the Recommended Conditions of Approval found in Attachment B.
2. Approve the Special Development Permit with modified Conditions of Approval.
3. Deny the Special Development Permit.

Recommendation

Alternative 1.

Prepared by:

Steve Lynch
Project Planner

Reviewed by:

Diana O'Dell
Senior Planner

Attachments:

- A. Findings
- B. Conditions of Approval
- C. Project Description from Applicant
- D. Project Plans

Recommended Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Socio-Economic Element

Goal 5.1G/Policy 5.1G1 Enhance the provision of health care and social services to Sunnyvale residents by providing opportunities for the private marketplace to meet the health and social service needs of the City residents.

Pump It Up will provide a social service for children in Sunnyvale, which is currently an unmet need for the residents.

Land Use and Transportation Element

Policy N1.14 Support the provision of a full spectrum of public and quasi-public services that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have a beneficial effects on the surrounding area.

Pump It Up is a unique and desirable use for the City that will provide a service to the youth population that cannot be provided by any other similar business. In addition, the project is appropriately located in a zone where the business will be compatible with the surrounding uses.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the project does not propose any significant site or building improvements that would be noticeable to the surrounding neighborhood. Staff has determined that there would be no significant impacts to the surrounding properties.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Planning Department:

1. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
2. This Special Development shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
3. The conditions of approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
4. A separate building permit is required for all proposed new wall signs. This site has a master sign agreement.
5. A separate permit is required from Planning for any new monument signs.
6. All gates at the site are to remain open during the Pump It Up business hours.
7. A majority of the loading and unloading shall occur in the parking lot nearest to N. Fair Oaks Av, although some loading and unloading may occur in the rear parking lot area as demand permits.
8. No food preparation is allowed on site. All food service must be provided by an outside vender.
9. Hours of operation shall be limited to the following hours:
Weekdays: 9:30am to 10:00pm
Weekends: 10:00am to 10:00pm

Public Works Department:

10. The Trees and Landscaping Division has identified that there are several parking lot and street trees which have been deteriorated and not been maintained properly. The existing landscaping on the site shall be maintained properly and made to be visually enhancing to the site.

Business Description - General

Definition of terms:

Interactive Inflatable - industrial-grade vinyl and rubber structure inflated with forced air (not compressed air) provided by a squirrel cage blower unit. The inflatables are similar to hot-air balloons, in that their construction prevents them from "popping" or becoming excessively inflated. Passive, one-way exit air flaps open when a set inflation is reached thereby maintaining the optimum level of inflation. Once the blower is turned off, the inflatables self-deflate completely in less than 3 minutes. Fire resistance information is provided.

Blower Unit - A 2'x2'x2' metal box housing a 15 amp electric motor and a squirrel cage fan that forces air into the Interactive Inflatable through a 10" diameter flexible duct.

Activity Area - the largest section of the facility that will house the inflatables and blowers.

Party Room - an area adjoining the Activity Area to be used by the party guests for refreshments and gifts.

Arena Supervisor - a staff member who remains on the floor of the Activity Area during a party to maintain safety and assist guests.

Hours of Operation:

Each party will be required to secure advanced date reservations. *At no time will the facility be open to the general public on a drop-in basis.* Reservations for parties will be accepted for dates Sunday thru Saturday, with the earliest party beginning at 9:30 A.M. and the last party ending not later than 10:00 P.M. Each party will be limited to 2 hours total time (up to 90 minutes in the Activity Centers and the balance in the Party Room). **Please note that 90% of our parties are held when the business park is closed.**

Physical Set-Up:

Party guests will enter the facility at the front entrance of the building into the Lobby Area. From the Lobby Area, the group will move to the Activity Areas. From the Activity Areas the group will move to the Party Room, then back to the Lobby to exit the building.

Parking and Traffic:

At no time will **Pump It Up** be open to the public for drop-in visitors. There are currently _____ parking spaces for the building, , as well as handicapped parking. Including employees, there should not be more than _____ cars at any given time, as it has been our personal experience that a majority of parents drop off their invited children at parties, then pick-up at the end.

Food and Drinks:

Pump It Up *will not produce or prepare any food or meals whatsoever.* Depending on city, county and state codes, we will explore the possibility of having restaurant-prepared pizza delivered with canned or bottled sodas. Birthday cakes and desserts, if any, must be provided by the party host. We will provide a refrigerator for the customer's use during the party.

Confidential Document

Business Description - General - con't

Environmental Concerns:

Hazardous Materials: There are no hazardous materials, emissions, runoff or waste associated with the use of inflatables. Small quantities of janitorial supplies will be stored on site.

Noise: The 15 amp electric blowers, the high volume of moving air and excited children will combine to create noise levels. With the huge Activity Area having tall ceilings, we do not anticipate these noise levels exceeding any health or zoning code. We have experienced no complaints in the existing facilities.

Garbage: We estimate each party will generate not more than two 33-gallon trash bags filled mostly with paper plates, cups and food waste. We plan on leasing a dumpster from the local Garbage company, which will be placed in the area designated by the business park.

Electrical/Water Consumption: No industrial-level equipment will be used in this business. Five 15 amp blowers will be in use for the inflatables in addition to the listed office equipment, appliances and lighting. Water consumption will be limited to lavatory and water fountain use only.

The Party Model

As guests arrive, they will be allowed to sit in the reception lobby until the balance of their group arrives. When the group has assembled, they will be escorted by the Arena Supervisor into the Activity Area where they will see the interactive inflatables. The Arena Supervisor will direct the group to a seating area where they can remove and store their shoes while listening to instructions, general behavior and safety rules on DVD. At the completion of the talk, the group will be allowed to enter the Activity Areas and enjoy the inflatables. The Arena Supervisor will remain on the floor to monitor the Activity Areas and render assistance where needed. At no time will this area be unsupervised during a party.

After not more than 90 minutes, the Arena Supervisor will indicate time is up and to get shoes on to go to the Party Room for the balance of the party. The Supervisor will escort the group to the Party Room and provide any assistance the party host requires, but will then leave the room to ready for the next group, if any. Another staff member will then assist the party with further needs. After a total of 2 hours, the host will be advised time is up and direct the group back to the lobby to wait for rides and parents.

At no time, may the party host leave before all party members have been picked up.

Equipment and Materials

Interactive Inflatables: are made of industrial-grade vinyl and rubber and are inflated with blown air (not compressed air) provided by a squirrel cage blower unit. The blower unit must remain on as long as the inflatable is in use to provide a constant flow of air. The inflatables are similar to hot-air balloons, in that their construction prevents them from "popping" or becoming excessively inflated. Passive, one-way exit air flaps open when a set inflation is reached thereby maintaining the optimum level of inflation. Once the blower is turned off, the inflatables self-deflate completely in less than 3 minutes.

Surfacing: any part of the Activity Area floor used for foot traffic will be covered with a padded, indoor/outdoor grade carpet approved for this facility.

Electronic: a standard suite of office equipment such as PC's and peripheral equipment.

Appliances: a refrigerator for sodas and customer-supplied cakes brought in during the party.

Furniture: standard office furniture, lobby seating, conference tables and chairs in the Party Room.

Special/Unique Equipment: each inflatable requires a squirrel cage blower unit that is rated at 15 amps/110V-AC with a start-up draw of 20 amps. These units are self-contained and UL-approved devices for both indoor and outdoor use.

Confidential Document

VARNI PROPERTIES, INC.
APR 11-25-68
100 Bush St., P.O. Box 100
ST. ALICE, MISS. 39215
Building Nos. 1001, 1002, 1003
Building 1001 - 1002, 1003
Building 1001 - 1002, 1003
Building 1001 - 1002, 1003

